



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Richard B. Streeter
Serial No.: 10/022,951
Filing Date: 12/14/2001
Title: APPARATUS AND METHOD FOR REPLACING
AORTIC VALVE
Group Art Unit: 3731
Examiner: B. Pantuck
Attorney's Docket No.: VIA-15

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

RESPONSE

This is in response to the outstanding Office Action in the above-identified application, in which the Examiner indicated that the application contains claims directed to the following patentably distinct species of the claimed invention:

Species 1: Fig. 1

Species 2: Fig. 2

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Species 3: Fig. 3

Species 4: Fig. 4

Species 5: Fig. 5

In response, Applicant hereby elects, without prejudice, to prosecute the invention of Species 2 (Fig. 2).

Claims 1-11, 19 and 23 are believed to be readable on the elected group and species.

Applicant expressly reserves the right to prosecute all non-elected subject matter in related applications.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, PO BOX 1450, ALEXANDRIA, VA 22313-1450, ON:

May 27, 2004

(DATE OF DEPOSIT)

James A. Sheridan

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James A. Sheridan 5/27/04

(SIGNATURE)

May 27, 2004

(DATE OF SIGNATURE)

Respectfully submitted,

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